

WEDNESDAY, MARCH 9, 1983

TWELFTH LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Reverend Joe Scott, St. John Baptist Church, Tiptonville, Tennessee.

Representative Dills led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 96

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby) Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 12, 88,

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114, 185, 198, 213, 216, 217, 218, 219, 318, 319, 332, 339, 354, 355, 365, 603, 611, 620, 662 and 663; and House Joint Resolutions Nos. 33, 36, 37, 38 and 50; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 20, 21, 24, 25, 27, 28, 37, 38, 39 and 44; also, Senate Bills Nos. 90 and 296; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: Senate Bills Nos. 90 and 296; Senate Joint Resolutions Nos. 20, 21, 24, 25, 27, 28, 37, 38, 39 and 44.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 18, 68, 127 and 248; and House Joint Resolutions Nos. 31, 32, 34, 35, 39, 48, 52, 55, 56, 57, 58, 59, 61, 64, 65, 66, 69, 70 and 80; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 18, 68, 127 and 248; and House Joint Resolutions Nos. 31, 32, 34, 35, 39, 48, 52, 55, 56, 57, 58, 59, 61, 64, 65, 66, 69, 70 and 80.

CALENDAR

House Bill No. 102--To provide for registration, motorized bicycles.

Mr. Robinson (Davidson) moved that House Bill No. 102 be passed on third and final consideration.

Mr. Robinson (Davidson) moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 102 by deleting Sections 1 and 3, as amended by House Amendment 1, in their entirety and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-3-101, is amended by adding a new item to the exceptions to the titling law in subsection (a), as follows:

(7) Motorized bicycles, except when voluntarily registered under the provisions of Section 55-4-101.

AND FURTHER AMEND by renumbering Section 4 to be Section 3.

On motion, the amendment was adopted.

Thereupon, House Bill No. 102, as amended, passed its third and final consideration by the following vote:

Ayes	77
Noes	17
Present and not voting	2

Representatives voting aye were: Anderson, Atchley, Bivens, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Ford, Frensey, Gafford, Gaia, Gill, Hassell, Herndon, Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Owen, Percy, Phillips, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shockley, Sir, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--77.

Representatives voting no were: Bell, Bewley, Crain, Dills, Elsea, Harrill, Henry, Hudson, McAfee, Nance, Napier, Pickering, Robertson, Scruggs, Shirley, Smith and Stafford--17.

Representatives present and not voting were: Bragg and Buck--2.

A motion to reconsider was tabled.

Mr. Naifeh moved that House Bill No. 24 be placed on the Calendar for Wednesday, March 30, 1983.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

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House Bill No. 278--To impose certain residency requirements on wineries.

Mr. Rhinehart moved that House Bill No. 278 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	78
Noes	12
Present and not voting	5

Representatives voting aye were: Anderson, Bell, Bewley, Bivens, Brewer, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Gafford, Gill, Hassell, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, King (Shelby) King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Percy, Pickering, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Sir, Smith, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work and Yelton--78.

Representatives voting no were: Buck, Chiles, Crain, Dills, Gaia, Harrill, Henry, Jones, Kernell, Robertson, Stafford and Williams--12.

Representatives present and not voting were: Atchley, Bragg, Frensley, Nance and Shirley--5.

A motion to reconsider was tabled.

House Bill No. 277--To regulate sale of wine.

Mr. Rhinehart moved that House Bill No. 277 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 277 by adding the following language as a new Section 6, renumbering subsequent sections accordingly:

SECTION SIX. This act shall permit a licensed beer wholesaler to deplete his inventory of wine or wine products containing an alcoholic content of five percent (5%) by weight, or less, and sell such wine or wine products for which a valid and enforceable contract has been entered into with a supplier by such wholesaler on the effective date of this act. Further, any person who has been issued a retail beer license may sell such wine or wine products as long as such wine or wine products are available to him through legal distribution channels.

On motion, the amendment was adopted.

Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 277 by inserting in the amendatory language of Section 1 after the word "beverage" and before the words "means and include" the words "as used in this title".

AND FURTHER AMEND by deleting Sections 3 and 5 in their entirety and renumbering subsequent sections accordingly.

On motion, the amendment was adopted.

Mr. Jones moved that House Bill No. 277 be re-referred to the Committee on State and Local Government.

Mr. McNally moved that the motion be tabled, which motion prevailed by the following vote:

Ayes	55
Noes	32
Present and not voting	4

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Burnett, Byrd, Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Duer, Ellis, Ford, Gafford, Gill, Hassell, Herndon, Hillis, Hudson, Huskey, Jared, Johnson, Kelley, Kent, King (Shelby), King (Washington), Kisber, Love, McKinney, McNally, Miller, Moore (Shelby), Murphy, Murray, Napier, Owen, Rhinehart, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Sir, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler and Whitson--55.

Representatives voting no were: Buck, Chiles, Clark (Sumner), Cobb, Crain, DeBerry, Disspayne, Dixon, Drew, Elsea, Gaia, Harrill, Henry, Hurley, Jones, Kernell, McAfee, Montgomery, Moore (Sullivan), Percy, Pickering, Robertson, Robinson (Hamilton), Shirley, Shookley, Smith, Stafford, Williams, Wix, Wood, Work and Yelton--32.

Representatives present and not voting were: Frensley, Naifeh, Nance and Wolfe--4.

Thereupon, House Bill No. 277, as amended, passed its third and final consideration by the following vote:

Ayes	60
Noes	27
Present and not voting	7

Representatives voting aye were: Anderson, Bell, Bewley, Bivens, Brewer, Burnett, Byrd, Clark (Sumner), Copeland, Covington, Davidson,

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Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Duer, Ellis, Ford, Gill, Hassell, Hillis, Hudson, Huskey, Jared, Johnson, Kelley, Kent, King (Shelby), King (Washington), Kerndon, Hurley, Jones, Kernell, Moore (Sullivan), Napier, Robertson, Scruggs, Shirley, Smith, Stafford, Wallace, Williams and Work--60.

Representatives voting no were: Atchley, Buck, Chiles, Cobb, Crain, DeBerry, Dixon, Drew, Elsea, Gafford, Gaia, Harrill, Henry, Herndon, Hurley, Jones, Kernell, Moore (Sullivan), Napier, Robertson, Scruggs, Shirley, Smith, Stafford, Wallace, Williams and Work--27.

Representatives present and not voting were: Bragg, Frensley, Nance, Pickering, Shockley, Wix and Wood--7.

A motion to reconsider was tabled.

House Bill No. 259--To permit suits for declaratory judgment against state.

Mr. Rhinehart moved that House Bill No. 259 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

Representative present and not voting was: Pickering--1.

A motion to reconsider was tabled.

House Bill No. 324--To increase compensation, county medical examiners.

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On motion, House Bill No. 324 was made to conform with Senate Bill No. 310.

On motion, Senate Bill No. 310, on same subject, was substituted for House Bill No. 324.

Mr. Webb moved that Senate Bill No. 310 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

Representative present and not voting was: Pickering--1.

A motion to reconsider was tabled.

House Bill No. 386--To change child restraining orders.

Mr. Robertson moved that House Bill No. 386 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley,

Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

A motion to reconsider was tabled.

House Bill No. 385--To increase powers, trial judge.

Mr. Robertson moved that House Bill No. 385 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Draw, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

A motion to reconsider was tabled.

House Bill No. 263--To set penalty, certain bad checks.

Mr. Kent moved that House Bill No. 263 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 263 by adding the following language as a new paragraph at the end of the amendatory language of Section 1:

Provided that for the purposes of such returned checks, notwithstanding the provisions of Tennessee Code Annotated, Section 39-3-302, as against the maker, or drawer thereof, the making, drawing, uttering or delivering of such check, draft or order, payment of which is refused by the drawee, shall be prima facie evidence and create a presumption of intent to defraud and of knowledge of insufficient funds in, or on deposit with, such bank, corporation, firm or person, provided such maker or drawer shall not have paid the holder thereof the amount due thereon

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within fifteen (15) days after receiving notice that such check, draft or order has not been paid by the drawee.

On motion, the amendment was adopted.

Thereupon, House Bill No. 263, as amended, passed its third and final consideration by the following vote:

Ayes	91
Noes	6
Present and not voting	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Percy, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --91.

Representatives voting no were: Bragg, Brewer, Cobb, Drew, Owen and Scruggs--6.

A motion to reconsider was tabled.

House Bill No. 276--To amend Title 40, Chapter 21, Code.

Mr. Buck moved that House Bill No. 276 be passed on third and final consideration.

Mr. Murphy moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 276 by deleting SECTION 2 and substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 40-2108, subsection (a) (1), is amended by deleting from the first paragraph the language "a prior misdemeanor or" and by substituting instead the language "a prior misdemeanor conviction for which a sentence of confinement is served or a prior".

SECTION 3. Tennessee Code Annotated, Section 40-2108, is amended by adding the following to the end of subsection (a) (1):

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A defendant may be granted pre-trial diversion only one
(1) time under the provisions of this chapter.

SECTION 4. This act shall take effect upon becoming a law,
the public welfare requiring it.

On motion, the amendment was adopted.

Thereupon, House Bill No. 276, as amended, passed its third and
final consideration by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell,
Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark
(Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain,
Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry,
DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford,
Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon,
Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent,
Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee,
McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore
(Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy,
Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson
(Hamilton), Robinson (Washington), Scruggs, Severance, Shirley,
Shockley, Sir, Smith, Stafford, Stallings, Tanner, Turner, Ussery,
Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work,
Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

Mr. Hudson moved that House Bill No. 36 be placed on the Calendar
for Thursday, March 10, 1983, which motion prevailed.

Senate Joint Resolution No. 6--Relative to commending, certain
trade and import restrictions.

Mr. Stafford moved that Senate Joint Resolution No. 6 be
concurring in, which motion prevailed by the following vote:

Ayes	93
Noes	0
Present and not voting	2

Representatives voting aye were: Anderson, Atchley, Bell,
Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles,
Clark (Sumner), Copeland, Covington, Crain,
Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry,
DePriest, Dills, Dixon, Drew, Duer, Ellis, Elsea, Ford,
Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon,
Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent,
Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee,

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McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murray, Naifeh, Nance, Napier, Owen, Percy, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

Representatives present and not voting were: Cobb and Murphy --2.

A motion to reconsider was tabled.

On motion of Mr. Sir, Senate Bill No. 203 was recalled from the Senate for further consideration.

CONSENT CALENDAR

OBJECTION

Objections were filed to the following bill on the Consent Calendar:

Mr. Stallings objected to House Bill No. 753.

Under the rules, House Bill No. 753 was placed at the foot of the Calendar for Thursday, March 10, 1983.

House Joint Resolution No. 87--Relative to commending Bill and Helen Pickering.

House Joint Resolution No. 88--Relative to recognizing U.S. Engineers, flood control.

House Bill No. 754--To provide for highway department, Hardeman County.

House Bill No. 755--To provide for run-off election, mayor of Bolivar.

House Bill No. 819--To set compensation, certain mayor and aldermen.

House Bill No. 823--To make certain provisions, Trousdale County.

House Bill No. 837--To provide for certain officers, Tullahoma.

House Bill No. 951--To provide for bonds, Franklin Special School District.

On motion, House Bill No. 951 was made to conform with Senate Bill No. 852.

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On motion, Senate Bill No. 852, on same subject, was substituted for House Bill No. 951.

House Bill No. 988--To provide operation watercraft, Nollichucky River.

Mr. Gill moved that all House and Senate Bills on the Consent Calendar be passed on third and final consideration, and all House Joint Resolutions on the Consent Calendar be adopted, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

A motion to reconsider was tabled.

Mr. Nance moved that the rules be suspended for the purpose of introducing House Joint Resolution 91 out of order, which motion prevailed.

House Joint Resolution No. 91--Relative to memory, Fire Chief Philip McCall--By Nance.

Mr. Nance moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 91, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

BILLS WITHDRAWN

On motion of Mr. Wallace House Bill No. 418 was recalled from the Committee on Conservation and Environment.

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On motion of Mr. Wallace, House Bill No. 418 was withdrawn from the House.

On motion of Mr. Wix, House Bill No. 200 was recalled from the Committee on Transportation.

On motion of Mr. Wix, House Bill No. 200 was withdrawn from the House.

On motion of Mr. Wallace, House Bill No. 421 was recalled from the Committee on Commerce.

On motion of Mr. Wallace, House Bill No. 421 was withdrawn from the House.

On motion of Mr. Stallings, House Bill No. 753 was withdrawn from the House.

On motion of Mr. Smith House Bill No. 4 was recalled from the Committee on Judiciary.

On motion of Mr. Smith, House Bill No. 4 was withdrawn from the House.

SECOND ROLL CALL

The roll call was taken with the following results:

Present 96

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --96.

RESOLUTIONS LYING OVER

Senate Joint Resolution No. 40--Relative to funding, Clinch River Breeder Reactor.

The Speaker referred Senate Joint Resolution No. 40 to the Committee on Conservation and Environment.

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Senate Joint Resolution No. 41--Relative to efforts, National Weather Service.

The Speaker referred Senate Joint Resolution No. 41 to the Committee on Calendar and Rules.

Senate Joint Resolution No. 42--Relative to commending Bernice Bouie Donald.

Under the rules, Senate Joint Resolution No. 42 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 43--Relative to commending Dr. Nicholas Hobbs.

Under the rules, Senate Joint Resolution No. 43 was referred to the Committee on Calendar and Rules.

INTRODUCTION OF RESOLUTIONS

House Resolution No. 12--Relative to continuing study, workers' compensation system--By Naifeh, Johnson, Ellis, Tanner and Hudson.

The Speaker referred House Resolution No. 12 to the Committee on Labor and Consumer Affairs.

House Resolution No. 13--Relative to investigation, certain flooding conditions--By Miller and Smith.

The Speaker referred House Resolution No. 13 to the Committee on Transportation.

House Joint Resolution No. 89--Relative to permitting local boards of education to hire certain coaches--By Scruggs and Burnett.

The Speaker referred House Joint Resolution No. 89 to the Committee on Education.

INTRODUCTION OF BILLS

House Bill No. 1214--To increase compensation, clerical staff, Claiborne County road department--By Robertson and Atchley.

Passed first consideration.

House Bill No. 1215--To amend charter, White Bluff--By Work.

Passed first consideration.

House Bill No. 1216--To increase severance tax, Carroll County--By Kelley, Herndon and Mr. Speaker McWherter.

Passed first consideration.

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House Bill No. 1217--To repeal Chapter 43, Private Acts, 1965--By Kelley, Herndon and Mr. Speaker McWherter.

Passed first consideration.

House Bill No. 1218--To create trust fund for medically indigent, certain counties--By Kelley, Herndon and Mr. Speaker McWherter.

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

Senate Bill No. 20--To regulate voting absentee.

Passed first consideration.

Senate Bill No. 44--To regulate sale, substances purporting to be certain controlled substances.

Passed first consideration.

Senate Bill No. 131--To amend certain procedures, General Sessions Criminal Court Act of 1981.

Passed first consideration.

Senate Bill No. 133--To regulate term of office, certain judges.

Passed first consideration.

Senate Bill No. 139--To allow certain judges, solemnize matrimony rites.

Passed first consideration.

Senate Bill No. 153--To regulate liability, limited partnerships.

Passed first consideration.

Senate Bill No. 169--To fix liability, damaged textbooks.

Passed first consideration.

Senate Bill No. 191--To change age, senior citizens.

Passed first consideration.

Senate Bill No. 238--To name "Robert C. Easley Bridge."

Passed first consideration.

Senate Bill No. 246--To regulate security, state deposits.

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Passed first consideration.

Senate Bill No. 248--To regulate Defense Counsel Commission.

Passed first consideration.

Senate Bill No. 278--To amend Uniform County Road Law.

Passed first consideration.

Senate Bill No. 299--To regulate position, nursing home administrators.

Passed first consideration.

Senate Bill No. 315--To authorize special license plates, certain persons.

Passed first consideration.

Senate Bill No. 525--To amend Tennessee Coal Surface Mining Law of 1980.

Passed first consideration.

REPORTS FROM STANDING COMMITTEES

AGRICULTURE

MR. SPEAKER: Your Committee on Agriculture begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 691 (with amendment) and 746.

PICKERING, Chairman.

Under the rules, House Bills Nos. 691 and 746 were transmitted to the Committee on Calendar and Rules.

COMMERCE

MR. SPEAKER: Your Committee on Commerce begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 267, 624, 695 and 737 (with amendment).

MURRAY, Chairman.

Under the rules, House Bills Nos. 267, 624, 695 and 737 were transmitted to the Committee on Calendar and Rules.

CONSERVATION AND ENVIRONMENT

MR. SPEAKER: Your Committee on Conservation and Environment begs leave to report that we have carefully considered and recommend for

passage: House Bills Nos. 244, 359 (with amendment), 501 (with amendment), 653 and 768; and further recommend that pursuant to House Rule No. 70, House Bill No. 653 be referred to the Committee on Finance, Ways and Means.

HILLES, Chairman.

Under the rules, House Bills Nos. 244, 359, 501 and 768 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 70, the Speaker referred House Bill No. 653 to the Committee on Finance, Ways and Means.

EDUCATION

MR. SPEAKER: Your Committee on Education begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 40 (with amendment) and 574; and House Joint Resolution No. 13 and further recommend that pursuant to House Rule No. 70, House Bill No. 574 be referred to the Committee on Finance, Ways and Means.

WORK, Chairman.

Under the rules, House Bill No. 40 and House Joint Resolution No. 13 was transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 70, the Speaker referred House Bill No. 574 to the Committee on Finance, Ways and Means.

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 115, 237 (with amendments) and 489.

BRAGG, Chairman.

Under the rules, House Bills Nos. 115, 237 (with amendments) and 489 were transmitted to the Committee on Calendar and Rules.

GENERAL WELFARE

MR. SPEAKER: Your Committee on General Welfare begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 562, 564, 645 (with amendment) and 688.

STARNES, Chairman.

Under the rules, House Bills Nos. 562, 564, 645 and 688 were transmitted to the Committee on Calendar and Rules.

JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 257, 284, 291, 310, 330, 346, 383, 434, 484, 490, 495 (with amendment), 502, 511, 556, 560, 580, 588, 599, 608, 641, 693, 701; and House Joint Resolution No. 51.

MURPHY, Chairman.

Under the rules, House Bills Nos. 257, 284, 291, 310, 330, 346, 383, 434, 484, 490, 495, 502, 511, 556, 560, 580, 588, 599, 608, 641, 693, 701; and House Joint Resolution No. 51 were transmitted to the Committee on Calendar and Rules.

LABOR AND CONSUMER AFFAIRS

MR. SPEAKER: Your Committee on Labor and Consumer Affairs begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 274 (with amendment), 390, 497 (with amendment) and 643.

ELLIS, Chairman.

Under the rules, House Bills Nos. 274, 390 and 643 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 70, the Speaker referred House Bill No. 497 to the Committee on Finance, Ways and Means.

STATE AND LOCAL GOVERNMENT

MR. SPEAKER: Your Committee on State and Local Government begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 9, 13, 27, 50, 204, 245, 258, 260 (with amendment), 264, 320, 340, 463, 480, 481 (with amendment), 483, 527, 528, 539 (with amendment), 553, 610, 629 and 639 (with amendment); House Resolution No. 2 and further recommend that pursuant to House Rule No. 70, House Bills Nos. 9 and 527 be referred to the Committee on Finance, Ways and Means.

MILLER, Chairman.

Under the rules, House Bills Nos. 13, 27, 50, 204, 245, 258, 260, 264, 320, 340, 463, 480, 481, 483, 528, 539, 553, 610, 629, 639; and House Resolution No. 2 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 70, the Speaker referred House Bills Nos. 9 and 527 to the Committee on Finance, Ways and Means.

TRANSPORTATION

MR. SPEAKER: Your Committee on Transportation begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 246 (with amendment), 265, 552, 684 (with amendment), 868 and House Joint Resolution No. 18.

ROBINSON (Davidson), Chairman.

Under the rules, House Bills Nos. 246, 265, 552, 684, 868 and House Joint Resolution No. 18 were transmitted to the Committee on Calendar and Rules.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Thursday, March 10, 1983: House Bills Nos. 98, 206, 211, 576, 601, 370, 538, 544, 73, 199, and 364.

GILL, Chairman.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 544--Herndon.

House Joint Resolution No. 88--Naifeh, Tanner.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 102, 259, 263, 277, 278, 385, and 386; House Joint Resolution No. 91; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bill

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on the Consent Calendar for Thursday, March 10, 1983: House Bill No. 272.

GILL, Chairman.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 276, 754, 755, 819, 823, 837, and 988; and House Joint Resolution Nos. 87 and 88; and find same correctly engrossed and ready for transmission to the Senate.

**MARILYN EVELYN HAND,
Chief Engrossing Clerk.**

On motion of Mr. Naifeh, the House adjourned until 9:00 a.m. tomorrow.